

REMARKS

Claims 1 and 22 have been amended to clarify the invention, and claims 23-26 have been added to further scope the invention. Support for claims 23 and 24, is found in the description on page 6, lines 4-5, page 28, lines 21-22, and page 28, lines 1-2, "at a travel pitch of the order of micrometers".

Support for new claims 25 and 26, is found in the description on page 29, lines 13-14, page 29, line 21-22 and page 95, lines 6-8 "with a target predetermined accuracy of errors of, for example 0.1 μm to 100 μm ". No new matter has been entered by any of the foregoing Amendments.

Turning to the Examiner's rejection of claims 1 and 17-22 under 35 USC § 112, first paragraph and the Examiner's rejection of claims 1 and 17-22 under 35 USC § 112, second paragraph, the Examiner's rejection is in error. Considering first cipher 3 of the Office Action, in the amended Claims 1 and 22, "said light having a beam size in the order of micrometers" is changed to "said projected light having a beam size in a minor axis direction in the order of micrometers". It is readily understood from the substitute specification that an a-Si thin film 75 nm thick, scanned with a 1 mm x 50 μm beam at a 0.5- μm pitch in a minor axis direction, has a beam size 1 mm in a major (or long) axis direction and 50 μm in a minor (or short) axis direction (Page 30, lines 14-15). Thus, the projected light has a beam size in a minor axis direction in the order of micrometers.

Turning to cipher 2 of the Action, the language "in the order of micrometers" is described in conjunction with the prior art as pointed out by the Examiner. However, this part of the description is intended to clarify a disadvantage of the prior art and the technical object of this invention as a motivation of this invention. Thus, in this context, the language in

question describes the gist of this invention and should be understood as a supporting description.

Furthermore, the language in Applicants' claims 1 and 22, namely that the "projected light [has] a beam size in a minor axis direction in the order of micrometers", is not only supported by the description on page 30, lines 14-15 of the Replacement Specification filed with Amendment B but also suggested by the following descriptions:

1) "In this procedure, the exposure position is adjusted to achieve a target predetermined accuracy of error of, for example, about 0.1 μm to 100 μm ", from page 29, lines 3-14 and 21-22 of the substitute specification);

2) "even at a scanning pitch of 1.0 μm ", (page 30, fourth line from the bottom of the substitute specification);

3) "The position measuring precision through the fine mark M12 is about 1 μm or less in the example.", (page 95, lines 2-3 of the substitute specification);

4) "the position was detected with a precision of about 1 μm ", (page 95, line 15 of the original specification);

5) "This configuration can achieve the exposure of a target region with an alignment accuracy of the order of micrometers or higher.", (page 101, lines 14-16 of the substitute specification)".

It is clear from examples 1-5 above that Applicant's claims are fully supported by the specification, i.e., that the invention is directed to processing on the order of micrometers not nanometers or meters.

Having dealt with all the objections raised by the Examiner, it is believed the Application now is in order for allowance.



Serial No. 09/612,551
Docket No. NEC WNZ-2212
Amendment H

In the event there are any fee deficiencies or additional fees are payable, please charge them (or credit any overpayment) to our Deposit Account Number 08-1391.

Respectfully submitted,

Norman P. Soloway
Attorney for Applicants
Reg. No. 24,315

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on September 17, 2004 at Tucson, Arizona.

By

NPS/ALK:sb

HAYES SOLOWAY P.C.
130 W. CUSHING STREET
TUCSON, AZ 85701
TEL. 520.882.7623
FAX. 520.882.7643

175 CANAL STREET
MANCHESTER, NH 03101
TEL. 603.668.1400
FAX. 603.668.8567